THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 5874 of 2006

Dated: 03.11.2006

Between:

K. Mallaiah, S/o Veeraswamy, aged about 37 years, Driver (E.321213), APSRTC, Karimnagar Region, Karimnagar District.

.... PETITIONER

AND

The Regional Manager, APSRTC, Karimnagar Region, Karimnagar and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 5874 of 2006

Order:

This writ petition is filed seeking to declare the action of the respondents in not engaging the petitioner in APSRTC, Karimnagar Region by following the seniority of approved/selected list of drivers of Karimnagar Region and taking steps to transfer him to other regions, as illegal and arbitrary, and consequently to direct the respondents to engage him in Karimnagar Region.

2. The learned counsel for the petitioner submitted that the petitioner has been selected as a Daily Wage Driver in Karimnagar Region, and even though he has been selected to work in Karimnagar Region, he has been transferred to different regions from time to time, and this is causing much inconvenience to him.

3. He submitted that in similar circumstances, this Court disposed of similar writ petitions, and one such being in W.P. No. 25766 of 2005, dated 08.12.2005, which was disposed of directing the respondents to continue the services of the Drivers in the parent unit, subject to availability of work, and in accordance with the seniority maintained by them in that category. The learned Standing Counsel for the respondents though contended that as there is no work in Karimnagar Region, the petitioner was instructed to work at Nizamabad or Hyderabad City Region, he however, admitted that similar writ petitions were disposed of by this Court with the directions as stated above.

4. In the circumstances, following the judgment of this Court in W.P. No. 25766 of 2005, dated 08.12.2005, I deem it appropriate to dispose of the writ petition with the following directions.

The respondents shall continue the petitioner in Karimnagar

Region subject to availability of work and in accordance with the seniority maintained in that category.

5. Accordingly, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 03.11.2006
Nsr/Sj